

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AFRICAN COMMUNITIES)
TOGETHER, a membership)
organization; UNDOCUBLACK)
NETWORK, a membership)
organization; DAVID KROMA;)
MOMOLU BONGAY; OTHELLO)
A.S.C. DENNIS; YATTA KIAZOLU;)
CHRISTINA WILSON; JERRYDEAN)
SIMPSON; C.B., AL. K., D.D., D.K.,)
AL. K., AD. K. by and through their)
father and next friend DAVID KROMA;)
O.D., and A.D., by and through their)
father and next friend OTHELLO)
A.S.C. DENNIS; O.S. by and through)
his mother and next friend)
JERRYDEAN SIMPSON)

Plaintiffs,

v.

DONALD J. TRUMP, President)
of the United States in)
his official capacity;)
U.S. DEPARTMENT OF)
HOMELAND SECURITY;)
KIRSTJEN NIELSEN,)
Secretary)
of the U.S. Department of)
Homeland Security in her)
official capacity)

Defendants.

Civil Action No. 19-cv-10432

DECLARATION OF OREN NIMNI

DECLARATION OF OREN NIMNI

I, Oren Nimni, hereby declare as follows:

1. I am over the age of eighteen and am competent to make this Declaration. I have personal knowledge of the matters set forth herein.
2. I am co-counsel for Plaintiffs in the above-captioned case. I am a member of the Massachusetts Bar (BBO #691821) and I am admitted to practice in the United States District Court for the District of Massachusetts.
3. I submit this Declaration in support of the Plaintiffs' Motion for Preliminary Injunction.
 - A. Exhibit 1 is a true and correct copy of the *Presidential Memorandum for the Secretary of State and the Secretary of Homeland Security*, issued on March 27, 2018, available at <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-secretary-state-secretary-homeland-security/>, last visited on March 11, 2019.
 - B. Exhibit 2 is a true and correct copy of a screenshot of the January 22, 2018 *Liberia Country Profile* from BBC, available at <https://www.bbc.com/news/world-africa-13729504>, last visited on March 11, 2019.
 - C. Exhibit 3 is a true and correct copy of the October 10, 2018 report from the Congressional Research Service entitled *Temporary Protected Status: Overview and Current Issues*, available at <https://fas.org/sgp/crs/homsec/RS20844.pdf>, last visited March 11, 2019.
 - D. Exhibit 4 is a true and correct copy of the March 27, 1991 Attorney General Order No. 1483-91 entitled *Designation of Liberia Under Temporary Protected Status Program*, 56 Fed. Reg. 12746, available at

https://www.justice.gov/sites/default/files/eoir/legacy/2014/12/01/fr27mar91_post.pdf
last visited March 11, 2019.

- E. Exhibit 5 is a true and correct copy of the July 30, 1999 notice from the Department of Justice: Immigration and Naturalization Service [INS No. 1953-1999; AG Order No. 2236-99] entitled *Termination of Designation of Liberia Under the Temporary Protected Status Program*, 64 Fed. Reg. 41,463, available at <https://www.justice.gov/sites/default/files/eoir/legacy/2002/09/09/fr30jy99N.pdf>, last visited March 11, 2019.
- F. Exhibit 6 is a true and correct copy of the *Presidential Memorandum on Measures Regarding Certain Liberians in the United States* issued September 28, 2000, available at <https://www.justice.gov/sites/default/files/eoir/legacy/2004/04/22/pd02oc00.pdf>, last visited March 11, 2019.
- G. Exhibit 7 is a true and correct copy of the *Presidential Memorandum on Measures Regarding Certain Liberians in the United States*, issued on September 25, 2001, available at <https://www.justice.gov/sites/default/files/eoir/legacy/2002/09/09/pd01oc01.pdf>, last visited March 11, 2019.
- H. Exhibit 8 is a true and correct copy of the of the October 1, 2002 notice from the Department of Justice: Immigration and Naturalization Service [INS No. 2235-02; AG Order No. 2616-2002] entitled *Designation of Liberia Under the Temporary Protected Status Program*, 67 Fed. Reg. 61,664, available at

<https://www.govinfo.gov/content/pkg/FR-2002-10-01/pdf/02-24992.pdf>, last visited March 11, 2019.

- I. Exhibit 9 is a true and correct copy of the August 25, 2004 notice from the Department of Homeland Security entitled *Termination and Re-Designation of Liberia for Temporary Protected Status*, 69 FR 52297, available at <https://www.federalregister.gov/documents/2004/08/25/04-19448/termination-and-re-designation-of-liberia-for-temporary-protected-status>, last visited March 11, 2019.
- J. Exhibit 10 is a true and correct copy of the August 16, 2005 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS No. 2357-05] entitled *Extension of the Designation of Liberia for Temporary Protected Status*, 70 Fed. Reg. 48176, available at <https://www.justice.gov/sites/default/files/eoir/legacy/2005/08/17/fr16aug05.pdf>, last visited March 11, 2019.
- K. Exhibit 11 is a true and correct copy of the September 20, 2006 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services entitled *Termination of the Designation of Liberia for Temporary Protected Status; Automatic Extension of Employment Authorization Documentation for Liberia TPS Beneficiaries*, 71 FR 55,000, available at <https://www.federalregister.gov/documents/2006/09/20/06-7785/termination-of-the-designation-of-liberia-for-temporary-protected-status-automatic-extension-of>, last visited March 11, 2019.
- L. Exhibit 12 is a true and correct copy of the Department of Homeland Security Fact Sheet entitled *Liberians Provided Deferred Enforced Departure (DED)*, issued on

September 12, 2007, available at

https://www.uscis.gov/sites/default/files/files/pressrelease/LiberiaFS_07Sep12.pdf

last visited March 11, 2019.

M. Exhibit 13 is a true and correct screenshot of the *Presidential Memorandum*

Regarding Deferred Enforced Departure for Liberians, issued on March 23, 2009,

available at [https://obamawhitehouse.archives.gov/the-press-office/presidential-](https://obamawhitehouse.archives.gov/the-press-office/presidential-memorandum-regarding-deferred-enforced-departure-liberians)

[memorandum-regarding-deferred-enforced-departure-liberians](https://obamawhitehouse.archives.gov/the-press-office/presidential-memorandum-regarding-deferred-enforced-departure-liberians), last visited March 11,

2019.

N. Exhibit 14 is a true and correct copy of the March 30, 2010 notice from the

Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS

No. 2493-10; DHS Docket No. USCIS-2010-0005], entitled *Filing Procedures and*

Automatic Extension of Employment Authorization and Related Documentation for

Liberians Provided Deferred Enforced Departure, 75 Fed. Reg. 15,715, available at

<https://www.govinfo.gov/content/pkg/FR-2010-03-30/pdf/2010-7115.pdf>, last visited

March 11, 2019.

O. Exhibit 15 is a true and correct copy of the August 25, 2011 notice from the

Department of Homeland Security: U.S. Citizenship and Immigration Service [CIS

No. 2514-11; DHS Docket No. USCI-2001-0014] entitled *Filing Procedures for*

Employment Authorization and Automatic Extension of Existing Employment

Authorization Documents for Liberians Provided Deferred Enforced Departure, 76

Fed. Reg. 53,145, available at [https://www.govinfo.gov/content/pkg/FR-2011-08-](https://www.govinfo.gov/content/pkg/FR-2011-08-25/pdf/2011-21842.pdf)

[25/pdf/2011-21842.pdf](https://www.govinfo.gov/content/pkg/FR-2011-08-25/pdf/2011-21842.pdf), last visited March 11, 2019.

- P. Exhibit 16 is a true and correct copy of the March 21, 2013 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS No. 2534-13; DHS Docket No. USCIS 2011-0014] entitled *Filing Procedures for Employment Authorization and Automatic Extension of Existing Employment Authorization Documents for Liberians Eligible for Deferred Enforced Departure*, 76 Fed. Reg. 53,145, available at <https://www.govinfo.gov/content/pkg/FR-2013-03-21/pdf/2013-06519.pdf>, last visited March, 20019.
- Q. Exhibit 17 is a true and correct copy of the October 1, 2014 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS No. 2546-14; DHS Docket No. USCIS-2011-0014] entitled *Filing Procedures for Employment Authorization and Automatic Extension of Existing Employment Authorization Documents for Liberians Eligible for Deferred Enforced Departure*, 79 Fed. Reg. 59,286, available at <https://www.govinfo.gov/content/pkg/FR-2014-10-01/pdf/2014-23507.pdf>, last visited March 11, 20019.
- R. Exhibit 18 is a true and correct copy of the October 1, 2014 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS No. 2546-14; DHS Docket No. USCIS-2011-0014] entitled *Filing Procedures for Employment Authorization and Automatic Extension of Existing Employment Authorization Documents for Liberians Eligible for Deferred Enforced Departure*, 79 Fed. Reg. 59,286, available at <https://www.govinfo.gov/content/pkg/FR-2014-10-01/pdf/2014-23507.pdf>, last visited March 11, 20019.

- S. Exhibit 19 is a true and correct screenshot of the January 14, 2016 Ebola: Mapping the Outbreak article from BBC, available at <https://www.bbc.com/news/world-africa-28755033>, last visited March 11, 2019.
- T. Exhibit 20 is a true and correct copy of the November 21, 2014 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS No. 2551-14; DHS Docket No. USCIS-2014-0011] entitled *Designation of Liberia for Temporary Protected Status*, 79 Fed. Reg. 69502, available at <https://www.govinfo.gov/content/pkg/FR-2014-11-21/pdf/2014-27772.pdf>, last visited March 11, 2019.
- U. Exhibit 21 is a true and correct copy of the September 26, 2016 notice from the Department of Homeland Security: U.S. Citizenship and Immigration Services [CIS No. 2588-16; DHS Docket No. USCIS-2014-001] entitled *Six Month Extension of Temporary Protected Status Benefits for Orderly Transition Before Termination of Liberia's Designation for Temporary Protected Status*, 81 FR 66059, available at <https://www.govinfo.gov/content/pkg/FR-2016-09-26/pdf/2016-23250.pdf>, last visited March 11, 2019.
- V. Exhibit 22 is a true and correct copy of the Presidential Memorandum on Deferred Enforced Departure for Liberians issued September 28, 2016, available at <https://obamawhitehouse.archives.gov/the-press-office/2016/09/28/presidential-memorandum-deferred-enforced-departure-liberians>, last visited March 11, 2019.
- W. Exhibit 23 is a true and correct screenshot of the November 29, 2018 article by John Harrington from USA Today entitled *From the Solomon Islands to Liberia: These are the 25 poorest countries in the world*, available at

- <https://www.usatoday.com/story/money/2018/11/29/poorest-countries-world-2018/38429473/>, last visited March 11, 2019.
- X. Exhibit 24 is a true and correct screenshot of the April 5, 2017 article by Super User from Front Page Africa entitled *Political Chaos If Liberians in U.S. Are Forcefully Returned to Liberia*, available at <https://frontpageafricaonline.com/opinion/political-chaos-if-liberians-in-u-s-are-forcefully-returned-to-liberia/>, last visited on March 11, 2019.
- Y. Exhibit 25 is a true and correct copy of a March 26, 2018 press release entitled *50+ Bipartisan Members of Congress Urge Trump to Extend Deferred Enforced Departure for Liberians*, available at https://americasvoice.org/press_releases/50-bipartisan-members-congress-urge-trump-extend/, last visited on March 11, 2019.
- Z. Exhibit 26 is a true and correct copy of a report entitled Liberia 2017 Human Rights Report, issued on April 20, 2018 by the United States Department of State, available at <https://www.state.gov/documents/organization/277259.pdf>, last visited on March 11, 2019.
- a. Exhibit 26A is a true and correct screenshot of an April 20, 2018 press release by the U.S. Department of State entitled *Remarks on the Release of the 2017 Country Reports on Human Rights Practices*, available at <https://www.state.gov/s/d/2018/280666.htm>, last visited March 11, 2019.
- AA. Exhibit 27 is a true and correct screenshot of the June 16, 2015 article by Adam Gabatt from The Guardian entitled *Donald Trump's tirade on Mexico's 'drugs and rapists' outrages US Latinos*, available at <https://www.theguardian.com/us->

news/2015/jun/16/donald-trump-mexico-presidential-speech-latino-hispanic, last visited March 11, 2019.

- BB. Exhibit 28 is a true and correct screenshot of the December 23, 2017 article by Michael D. Shear and Julie Hirschfeld Davis from the New York Times entitled *Stoking Fears, Trump Defied Bureaucracy to Advance Immigration Agenda*, available at https://www.nytimes.com/2017/12/23/us/politics/trump-immigration.html?_r=0, last visited March 11, 2019.
- CC. Exhibit 29 is a true and correct screenshot of the January 11, 2019 article by Julie Hirschfeld Davis, Sheryl Gay Stolberg and Thomas Kaplan from The New York Times entitled *Trump Alarms Lawmakers With Disparaging Words for Haiti and Africa*, available at <https://www.nytimes.com/2018/01/11/us/politics/trump-shithole-countries.html>, last visited March 11, 2019.
- DD. Exhibit 30 is a true and correct screenshot of the February 27, 2019 article by The Associated Press entitled *Ex-Trump Lawyer Michael Cohen's Prepared Remarks to Congress*, available at <https://www.nytimes.com/aponline/2019/02/27/us/ap-us-trump-lawyer-investigation-cohen-text.html>, last visited March 11, 2019.
- EE. Exhibit 31 is a true and correct copy of the Declaration of Othello Dennis, Plaintiff, dated March 5, 2019.
- FF. Exhibit 32 is a true and correct copy of the Declaration of Yatta Kiazolu, Plaintiff, dated March 4, 2019.
- GG. Exhibit 33 is a true and correct copy of the Declaration of Christina Wilson, Plaintiff, dated March 4, 2019.

HH. Exhibit 34 is a true and correct copy of the Declaration of David Kroma, Plaintiff,
dated March 5, 2019.

II. Exhibit 35 is a true and correct copy of the Declaration of Momolu Bongay, Plaintiff,
dated March 5, 2019.

JJ. Exhibit 36 is true and correct copy of the Declaration of Jerrydean Simpson and J.S.,
Plaintiffs, dated March 4, 2019.

KK. Exhibit 37 is a true and correct screenshot of the January 29, 2019 article by Robtel
Neajai Pailey from Al Jazeera entitled *The struggles for Liberian citizenship; Why
has Liberia not enacted dual citizenship or repealed a constitutional 'Negro
clause'?*, available at <https://www.aljazeera.com/indepth/opinion/struggles-liberian-citizenship-190128050949269.html>, last visited March 11, 2019.

LL. Exhibit 38 is a true and correct copy of the Declaration of Jonathan Jayes-Green,
Director of Organizational Plaintiff UndocuBlack, dated March 4, 2019.

MM. Exhibit 39 is a true and correct copy of the Declaration of Amaha Kassa, Executive
Director or Organizational Plaintiff African Communities Together, dated March 4,
2019.

NN. Exhibit 40 is a true and correct copy of a letter from the Governor of the State of
Minnesota Mark Dayton to President Donald J. Trump, issued March 27, 2018
available at [https://www.uscis.gov/sites/default/files/files/nativedocuments/TPS_-
_Haiti_El_Salvador_Nicaragua_DED_-_Liberians_DACA_Governor_Dayton.pdf](https://www.uscis.gov/sites/default/files/files/nativedocuments/TPS_-_Haiti_El_Salvador_Nicaragua_DED_-_Liberians_DACA_Governor_Dayton.pdf),
last viewed March 11, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED WITHIN THE UNITED STATES ON: March 12, 2018.

BY: /s/Oren Nimni

Oren Nimni (BBO #691821)
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